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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,828	06/27/2003	Russell Irvin Sanchez	50037.181US01	8438
27488	7590	02/25/2005	EXAMINER	
MICROSOFT CORPORATION C/O MERCHANT & GOULD, L.L.C. P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			CAO, HUEDUNG X	
			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/607,828

Applicant(s)

SANCHEZ ET AL.

Examiner

Huedung X. Cao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date 1/20/04.
- 4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Bair et al. (USP 6758689 B1).

With respect to claim 1, Bair teaches the claimed “an apparatus that includes an antenna and a pass-through interface device” comprising:

a pass-through interface body that is configured to enclose the pass-through interface device (USB interface body 20), wherein the pass-through interface device includes a first port that is in electrical communication with a second port (column 3, lines 33-37);

an antenna housing that is configured to enclose the antenna (antenna 24);

connecting members that are arranged to couple the antenna housing to the pass through interface body (column 3, lines 38-40) ; and

a blocking member (body stop 26), wherein the blocking member is arranged to block a the first port in the pass-through interface device when the antenna housing is to

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a first position, and wherein the blocking member is clear from the first port when the antenna housing is in a second position (column 4, lines 36-54).

Claim 2 adds into claim 1, wherein the antenna housing is arranged in longitudinal alignment with the pass through interface body when the antenna housing is in the first position (figures 2A and 2B).

Claim 3 adds into claim 1, wherein the antenna housing is arranged in longitudinal alignment with the pass through interface body when the antenna housing, is in the first position such that the antenna housing is oriented in a first plane, and wherein the antenna housing is oriented in a second plane that intersects with the first plane when the antenna housing is in the second position (figures 2A and 2B).

Claim 4 adds into claim 1, wherein the connecting members are arranged in cooperation with the pass through interface body such that the antenna housing is biased towards the first position (figure 2B).

Claim 5 adds into claim 1, wherein the blocking member is arranged to substantially maintain the shape of the antenna within the antenna housing (column 4, lines 36-54).

Claims 6-9 add into claim 1, wherein the connecting members, the pass-through interface body, blocking member; and the antenna housing are integrally formed from at least one of: rubber, plastic, and an elastomer (column 2, lines 32-33), and it is inherently that the antenna housing, interface body, and blocking member are made from a plastic.

Claim 10 adds into claim 1, wherein the connecting members are arranged as shoulders between the pass through interface body and the antenna housing (figure 2A).

With respect to claims 11-18, wherein the connecting members are coupled to the pass through interface body through pivot joints; wherein each pivot joint is arranged as at least one of: a pin device, and a ball and socket arrangement; wherein at least one pivot joint includes a spring tension device that is arranged to bias the antenna housing from the second position to the first position; wherein at least the connecting member includes a flange region that is arranged in engagement with the pass through interface body such that the antenna housing from the second position to the first position; wherein at least the connecting member includes a flange region, and wherein the pass through interface body includes a first locking member that is arranged to engage the flange region such that the antenna housing is locked in the first position; wherein at least connecting member includes a flange region, and wherein the pass-through interface body includes a second locking member that is arranged to engage the flange region such that the antenna housing is locked in the second position; wherein the antenna housing is urged from the first position to the second position by user interaction, and wherein the antenna housing is maintained in the second position by contact between the blocking member and a connector when the connector is engaged with the pass through interface device; wherein the antenna housing automatically returns from the second position to the first position when the connector is disengaged

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from the pass through interface device which Bair teaches in figures 2A, 2B, 3A, 3B, 4A, 4B and column 3, lines 33-column 4, line 54.

Claim 19 is similar in scope to claim 1; therefore, it is rejected for the same reason.

Claim 20 is similar in scope to claim 1; therefore, it is rejected for the same reason.

Claims 21-23 are similar in scope to claims 1 and 20; therefore, they are rejected for the same reason.

Claim 24 is similar in scope to claim 1; therefore, it is rejected for the same reason.

Claim 26 is similar in scope to claim 1; therefore, it is rejected for the same reason.

Response to Arguments

4. Applicant's arguments with respect to claims 1-20 have been considered but they are not persuasive.

Applicant argues that there is no teaching or suggestion all of the limitations set forth by Applicant's claims 1-20.

The Examiner disagrees and has further clarified his/her position as detailed accordingly in the claim rejection section. In claims 1, 19, and 20, Bair teaches a pass-through interface body that is configured to enclose the pass-through interface device (USB interface body 20), wherein the pass-through interface device includes a first port

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first port that is in electrical communication with a second port (column 3, lines 33-37, first and second ends 23 and 25); an antenna housing that is configured to enclose the antenna (antenna 24); connecting members that are arranged to couple the antenna housing to the pass through interface body (column 3, lines 38-40) ; and a blocking member (body stop 26), wherein the blocking member is arranged to block a the first port in the pass-through interface device when the antenna housing is to a first position, and wherein the blocking member is clear from the first port when the antenna housing is in a second position (column 4, lines 36-54); urging the antenna housing from the first position to a second position and returning the antenna housing from the second position to a first position (figure 3A, 3B, 3C, 4A, and 4B). Therefore, Examiner maintains 35 USC 102(e) rejection to claims 1-26.

Conclusion

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

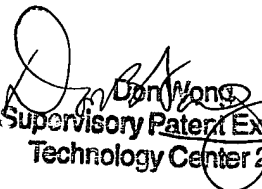
Inquires

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huedung Cao whose telephone number is (571) 272-1939.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong, can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Huedung Cao
Patent Examiner


Don Wong
Supervisory Patent Examiner
Technology Center 2800